United Nations ECE/MP.PRTR/WG.1/2018/5

Economic and Social Council

Distr.: General
15 August 2018

Original: English

Economic Commission for Europe

Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Working Group of the Parties

Sixth meeting
Geneva, 9 November 2018
Item 6 of the provisional agenda
Development of the Protocol

Progress in implementing the strategic plan for 2015–2020

Note by the Bureau

Summary

The present document outlines the progress in implementing the Strategic Plan for 2015–2020 (Decision II/2 on the strategic plan for 2015–2020 for the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/2014/4/Add.1)) and suggests further actions in order to promote its implementation. The document was prepared by the Bureau under the Protocol, with the assistance of the secretariat, as requested by the Meeting of the Parties to the Protocol at its third session in 2017 (see ECE/MP.PRTR/2017/6, para. 43).

GE.18-13481(E)

1813481

Please recycle

Introduction

1. At its second session (Maastricht, 2014), the Meeting of the Parties to the Protocol adopted the strategic plan for 2015–2020[1] and agreed that the plan would guide the implementation and further development of the Protocol up until the fourth session of the Meeting of the Parties.

2. At its third session (Budva, Montenegro, 15 September 2017), the Meeting of the Parties requested the secretariat to organize a survey among Parties in order to collect information on progress in implementing the strategic plan that had not been provided through the national implementation reports; mandated the Bureau and the Working Group of the Parties to address in more detail the issue that Parties set priorities in different ways in terms of the implementation of the strategic plan, as identified by the Compliance Committee; mandated the Bureau and the Working Group, taking into account the outcome of the survey, to further look into the focal areas of the strategic plan to identify where further action was needed to successfully implement the targets of the strategic plan; and requested the Bureau and the Working Group to prepare a possible future strategic plan for the period of 2021–2029, taking into account the overview of progress in implementing the strategic plan for 2015–2020 and the outcome of the survey and related work (ECE/MP.PRTR/2017/6, para 43).

3. In response to this request, the present note was prepared by the Bureau with the support of the secretariat. The document was prepared on the basis of the outcomes of the survey, national implementation reports submitted by Parties and the related work of the Compliance Committee, including the addendum to the report of the Meeting of the Parties on its third session entitled "Systemic issues concerning the implementation of the Protocol on Pollutant Release and Transfer Registers and recommendations on how to address them" (ECE/MP.PRTR/2017/6/Add.2).

4. The note provides an overview of the current status of implementation of the strategic plan for 2015–2020, identifies key challenges to implementation and draws conclusions accordingly. Issues regarding a possible future strategic plan are presented in a separate note on the development of the Protocol (ECE/MP.PRTR/WG.1/2018/6). The following informal supporting documents will be made available on the meeting website:[2] (i) Results of the 2018 survey on progress in implementing the strategic plan for 2015–2020 (PRTR/WG.1/2018/Inf.1); (ii) Relevant references in official documents in relation to the implementation of the strategic plan for 2015–2020 (PRTR/WG.1/2018/Inf.2); and (iii) A list of possible specific actions that could further the implementation of the Protocol and strategic plan plan for 2015–2020 (PRTR/WG.1/2018/Inf.3).

I. Status of implementation of the strategic plan for 2015–2020

5. The strategic plan for 2015–2020 was conceived relatively soon after the Protocol came into force. Its vision, mission and three focal areas (implementation of the Protocol by each Party; lifting barriers to ratification and expansion beyond the Economic Commission for Europe (ECE) region; and development of the Protocol), together with their related indicators of progress/targets, are directly related to effective implementation of the Protocol.

[1] Decision II/2 on the strategic plan for 2015–2020 for the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/2014/4/Add.1).

[2] See http://www.unece.org/index.php?id=47194.

6. In its overview of the progress in implementing the strategic plan for 2015–2020 (ECE/MP.PRTR/2017/10, annex), the Compliance Committee discusses the status of implementation in more detail based on national implementation reports. At its third session, the Meeting of the Parties considered that a survey would provide useful additional information since the questions to which the Parties reply in their national implementation reports did not provide a full picture of progress under the strategic plan.

7. The Compliance Committee also noted in its overview that progress in implementation does not proceed in a homogeneous way among Parties. At international level, there is no coordinated implementation and monitoring process so that the Meeting of the Parties can take decisions aimed at improving implementation of the strategic plan, particularly in focal area III (Development of the Protocol).

8. Generally speaking, Parties with well-developed PRTRs have already established the necessary legal, data quality and validation structures to ensure high-quality input from point sources and have established searchable georeferenced databases. Moreover, information on individual facilities is readily available; reporting by facilities is carried out primarily through online tools; and data from diffuse sources is becoming available in some PRTRs.

9. It appears that aspects of the Protocol's implementation that entail more complex and potentially more challenging measures envisaged in the strategic plan have not been addressed by the Parties or have been addressed only to a limited extent. These include, among other things:

(a) The Protocol's design as a dynamic instrument that can be revised based on user needs and can adequately address developments in the production and use of chemical substances;

(b) The need to ensure that PRTRs are well integrated with other relevant government databases and are not limited to environmental information;

(c) The importance of improving the Protocol's use by and usefulness to stakeholders and of raising public awareness in that regard.

10. As of 16 July 2018, 31 Parties had responded to the survey: Albania, Austria, Belgium (Flanders and Brussels), Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, the European Union, Finland, France, Germany, Hungary, Ireland, Israel, Latvia, Lithuania, Luxembourg, Montenegro, the Netherlands, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, and the former Yugoslav Republic of Macedonia. In summary, the degree of progress in implementing the strategic plan varies among the different focal areas. Progress under focal area I, implementation of the Protocol by each Party, is the easiest to analyse. Survey results show that about three quarters of Parties have implemented activities for reaching the plan's objectives. Progress under focal area II, lifting barriers to ratification and expansion beyond the ECE region, is more difficult to analyse: about a third of the Parties are engaged in related activities and three countries, none of them from beyond the ECE region, have ratified the Protocol since 2014. With regard to focal area III, development of the Protocol, the Meeting of the Parties has taken no relevant decisions. At the national level, about a third of the Parties are developing their PRTRs in ways related to the objectives of this focal area.

11. The survey results also provide information on progress on issues relevant to the mission and vision of the strategic plan. Some Parties note that they have developed roadmaps, national proposals or cross-sectoral groups on PRTRs; a few have helped to increase the impact of the Protocol by encouraging States outside the region to apply its principles and provisions; and about two thirds have initiatives or processes in place in order to keep their PRTRs under continuous review; this, in turn, may lead to the further

development of PRTRs so that they remain an adequate instrument for achievement of the Protocol's objectives. About half of the Parties are engaged in initiatives or processes that (a) encourage improvements in environmental performance by industrial operators; (b) provide information that helps to increase transparency; and (c) make available pollution-related information or knowledge, e.g. human health or risk assessments.

II. Further actions for implementation – key challenges and opportunities

12. The strategic plan is tied to full implementation of the Protocol by each Party. In addition, there are also numerous linkages between the elements of the strategic plan and other official documents developed under the Protocol.[1] Five pillars of work have been identified based on the general provisions and core elements of PRTRs as defined in articles 3 and 4 of the Protocol, respectively:

(a) Integration at the national level;

(b) Harmonization at the international level;

(c) Awareness and ease of access and use;

(d) Scope of the Protocol;

(e) Data (including its reporting, management and quality).

Successfully addressing these issues will lead to the design of databases that efficiently support Parties' efforts to follow the mission set out in the strategic plan and to reach the objectives of the Protocol.

13. While there are a number of challenges to implementation of focal areas I and II, focal area III and, in general, continuous review of principles and provisions of the Protocol at the national and international levels, is likely to present the most serious challenge in the longer term. At the national level, various approaches have been developed to address this challenge. At the international level, Parties could learn from experiences of those Parties that are reviewing their national PRTRs and discuss ways to apply the findings of these reviews in a harmonized manner; they might also address this challenge by agreeing to carry out a continuous review of the principles and provisions of the Protocol, including its scope. However, it should be borne in mind that a variety of dynamic factors will change the relevance of substances, activities and stakeholder needs over time.

14. A related challenge is the fact that since the adoption of the Protocol and the strategic plan, the Sustainable Development Goals have become an important driver of efforts to reach the Protocol's objective of reducing pollution at the national and international levels. While the strategic plan and the Protocol mention sustainable development in general terms, Member States have moved towards concrete action by developing the 2030 Agenda and its Goals and targets and the Protocol has become a potential tool for promoting their achievement.

15. In order to implement the strategic plan more effectively, a comprehensive list of challenges and related opportunities based on the aforementioned five pillars could be developed. This list could take the form of a framework for relevant activities at the

[1] See Relevant references in official documents in relation to the implementation of the strategic plan for 2015–2020 (PRTR/WG.1/2018/Inf.2).

national and international levels. In that context, the following issues, among others, have arisen:

Integration at the national level

16. The integration of a PRTR system with other national databases and information-sharing platforms can: (a) increase the system's usefulness by making contextual content easily accessible to users; (b) facilitate data quality assurance; (c) reduce costs for each of the systems involved through the use of synergies; (d) facilitate reporting by private sector companies to government entities; and (d) facilitate reporting to international entities.

17. The primary challenge is the need to use the most current universal software that is appropriate for all platforms and to ensure cooperation between the relevant institutions.

18. The full potential and gains in resource efficiency of PRTRs are only available as part of an integrated system where users provide data through a single window and different ministries and government agencies can use a common database to access data relevant to their work. The cost, quality and effectiveness of such a model PRTR seem to be well worth the one-time effort to overcome cross-sectoral differences.[4] With its detailed and harmonized approach to making data available, the Protocol provides a valuable standard for use in pursuing an integrated "open government" approach.

19. The integration of PRTRs with other relevant systems is one of the Protocol's requirements and has already been addressed through other official documents.[5] Solutions may include real-time air and water quality maps and smart-phone applications, as well as private sector company or other non-PRTR datasets.[6] In order to improve implementation, particularly by Parties that install new electronic systems or renew existing ones, a detailed description of the national databases and information-sharing platforms that are most relevant and provide context for the data contained in PRTRs is required. Additionally or alternatively, detailed recommendations may be prepared based on existing examples and case studies.

Harmonization at the international level

20. Decision-making processes – which range from daily consumer choices to decisions taken at the international level – reach across national borders. Rarely will information from a single country allow consumers to make the most sustainable choices in purchasing a product and, in so doing, support companies' efforts to reduce pollutant emissions. The international comparability of pollutant-related information is therefore necessary so that people can accurately assess the impact of their choices from the point of view of sustainability. In that context, efforts by the European Union to increase traceability by implementing a circular economy are noteworthy.[7] A harmonized approach to work on the circular economy and work under the Protocol faces specific challenges, including the need for a common definition of the term "facilities".

---

[4] See, for example, the PRTRs of Chile, Israel and Serbia (data sets managed by the energy, transport and health sectors).

[5] See Relevant references in official documents in relation to the implementation of the strategic plan for 2015–2020 (PRTR/WG.1/2018/Inf.2).

[6] See, for example, the Green Supply Chain Map for China: http://wwwen.ipe.org.cn/MapBrand/Brand.aspx?q=6.

[7] See https://ec.europa.eu/growth/industry/sustainability/circular-economy_en.

21. Where data are comparable, knowledge can be exchanged and progress achieved more easily and with fewer resources spent by individual stakeholders. However, it is challenging to reach a common understanding and agreement regarding the harmonization of national databases with different priorities, degrees of scientific understanding and historic choices. Equivalencies between countries' existing terminology and new international and national initiatives must be developed based on a common set of standards that take into account existing international work under, for example, the Organisation for Economic Co-operation and Development (OECD) Working Group on Pollutant Release and Transfer Registers and the Globally Harmonized System for Classifying Hazardous Chemicals.

Awareness, ease of access and use

22. The amount of the resources, including funding, available for PRTR-related work depends ultimately on stakeholder awareness and the ease of access and use of PRTR systems by decision-makers at all levels. Providing information on and managing "hot topics" for different stakeholder groups can be key to the success of a PRTR system.

23. It may be difficult to reach a critical mass (minimum number) of users of PRTR data who will then constitute a living forum capable of providing constructive feedback, generating new uses of data and sustaining interest in PRTR data. Once that threshold is reached, however, support for and input into PRTR-related work by the public and other stakeholders can further increase the impact of the PRTR and allow it to reach its goal of reducing pollution.

24. This will require the engagement of external partners. Today, information on pollution is available primarily through the work of journalists or scientific literature and documentation. It is important to disseminate this information to e.g. school children so that they can learn how pollution influences the quality of their life.

25. It is also challenging to ensure that PRTR data can be used and interpreted correctly, e.g. that users understand what data means and compare what is comparable. Strengthening existing promotion activities, including by training journalists and teachers and developing new ways to educate users, may also increase support for improving PRTRs.

Scope of the Protocol

26. Because the substantive scope of the Protocol should normally reflect the current users' need for information, the list of substances and activities should cover the vast majority of actual pollutant releases to environmental media in order to remain meaningful for decision-making, and provision for the interpretation of data and the inclusion of additional data (e.g. size, volume) should be made. To that end, a procedure for identifying criteria for substances and activities and setting reporting thresholds while minimizing potential duplication of work undertaken elsewhere, perhaps in the context of other international or national efforts in this field, is needed. Such an approach would increase the relevance of the Protocol and strengthen its role in the international harmonization of national approaches to reporting on pollutants.

Data

27. The backbone of PRTRs is their data, including its reporting, management and quality. Parties often face the challenge of addressing data quality issues effectively and using PRTRs to reduce facilities' overall reporting burden through improved data management. Other challenges are related to the sources of data, including measurement and calculation methodologies, and to the use of emission factors for diffuse sources.

III. Conclusions

28. While the strategic plan can be implemented at the national level, given the necessary political will and resources, Parties should also take action collectively in order to make implementation more efficient for individual Parties and should promote multilateral coordination and cooperation in order to benefit from economies of scale, making individual PRTRs more cost-efficient and increasing their impact on decision-making.